

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Barbara Hildebrandt,	:
Plaintiff,	: Case No. C-1-02-0003
vs.	:
Hyatt Corporation, <u>et al.</u> ,	:
Defendants	:

PLAINTIFF'S PROPOSED SPECIAL INTERROGATORIES

IN THE UNITED STATES DISTRICT COURT
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Barbara Hildebrandt, :
 :
 Plaintiff, : Case No. C-1-02-0003
 :
 vs. :
 :
 Hyatt Corporation, et al., :
 :
 Defendants :

Interrogatory 1

Do you find by a preponderance of the evidence that Plaintiff's age was a motivating factor in Hyatt Corporation's decision to terminate her employment?

Yes _____

No _____

Date: _____

Foreperson

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 :
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Interrogatory 2

Do you find by a preponderance of the evidence that Plaintiff's age was a motivating factor in John Horne's decision to terminate her employment?

Yes _____

No _____

Date: _____

Foreperson

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Interrogatory 3

Do you find by a preponderance of the evidence that Plaintiff's age was a motivating factor in Tyson Helms' decision to terminate her employment?

Yes _____

No _____

Date: _____

Foreperson

If your response to either Interrogatory 1, Interrogatory 2, or Interrogatory 3 is "yes," proceed to Interrogatory 4. If your response to each of the first three Interrogator is "no," do not answer the remaining Interrogatories.

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Interrogatory 4

If in Interrogatory 1, 2, or 3 you found that Plaintiff's age was a motivating factor in the decision of any of the Defendants to terminate her employment, state the amount of compensatory damages awarded to Plaintiff Hildebrandt:

Back Pay	\$_____
Front Pay	\$_____
Emotional Distress, Pain, Suffering	\$_____
Total	\$_____

Date: _____

Foreperson

If you awarded damages in this Interrogatory, proceed to Interrogatory 5. If you did not award damages in this Interrogatory, do not answer the remaining Interrogatories.

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Interrogatory 5

If in Interrogatory 1 you found that Plaintiff's age was a motivating factor in Hyatt Corporation's decision to terminate her employment, was Hyatt Corporation's violation of the ADEA "willful," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

Proceed to Interrogatory 6

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Interrogatory 6

If in Interrogatory 2 you found that Plaintiff's age was a motivating factor in John Horne's decision to terminate her employment, was John Horne's violation of the ADEA "willful," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

Proceed to Interrogatory 7

IN THE UNITED STATES DISTRICT COURT
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Interrogatory 7

If you found that Plaintiff's age was a motivating factor in Tyson Helms' decision to terminate her employment, was Tyson Helms' violation of the ADEA "willful," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

Proceed to Interrogatory 8

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Interrogatory 8

If in Interrogatory 1 you found that Plaintiff's age was a motivating factor in Hyatt Corporation's decision to terminate her employment, do you find by clear and convincing evidence that Defendant Hyatt Corporation acted with "actual malice," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

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Interrogatory 9

If in Interrogatory 2 you found that Plaintiff's age was a motivating factor in John Horne's decision to terminate her employment, do you find by clear and convincing evidence that Defendant John Horne Corporation acted with "actual malice," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

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Interrogatory 10

If in Interrogatory 3 you found that Plaintiff's age was a motivating factor in Tyson Helms' decision to terminate her employment, do you find by clear and convincing evidence that Defendant Tyson Helms acted with "actual malice," as that term is defined in your final instructions?

Yes

No

Date: _____

Foreperson

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Interrogatory 11

If in Interrogatory 8, 9, or 10 you found that Defendant Hyatt Corporation, John Horne, or Tyson Helms acted with "actual malice," as that term is defined in your final instructions, state the amount you award as punitive damages:

\$ _____

Yes

No

Date: _____

Foreperson

Respectfully submitted,

s/Robert A. Steinberg
Stanley M. Chesley (0000852)
Robert A. Steinberg (0032932)
(Trial Attorney)
WAITE, SCHNEIDER, BAYLESS
& CHESLEY CO., L.P.A.
1513 Fourth and Vine Tower
Cincinnati, OH 45202
513-621-0267
bobsteinberg@wsbclaw.cc

and

Michael J. O'Hara (0014966)
O'HARA, RUBERG, TAYLOR, SLOAN
& SERGENT
209 Thomas More Park, Suite C
P.O. Box 17411
Covington, Kentucky 41017-0411
(606) 331-2000
mohara@ortlaw.com

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Notice was served by electronic filing via the CM/ECF System to Theresa M. Gallion, Esq. and Nadine Abrahams, Esq. this 3rd day of August 2004.

s/Robert A. Steinberg
Robert A. Steinberg

If your answer is "yes,"